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SUBJECT: RRT ERBIL: JOURNALISTS GIVE NEW KRG MEDIA LAW A TENTATIVE THUMBS-UP

REFTEL: Baghdad 2815

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This is a Regional Reconstruction Team (RRT) Erbil cable.

11. (SBU) Summary: Key independent media editors in the Kurdistan Region have cautiously welcomed passage September 22 of a new KRG Press Law, with one veteran editor characterizing it as "80 percent good." Our interlocutors were pleased with revisions in the law that cap defamation fines, prohibit the closure of media outlets, and provide some clarity to previously vague language banning disclosure of national security information. The editors we spoke with were still worried that they could face the KRG's wrath for publishing stories on, for example, home-grown terrorist threats such as Ansar al-Islam, and complained that media outlets could still be suspended. All of our contacts were distressed by the tone of a recent meeting between KRG President Masoud Barzani and key Kurdish media leaders in which Barzani said the press could criticize the KRG -- but only with approval from "the proper authorities." End summary.

Independent Media Editors on KRG Press Law  
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12. (U) Over the past week, RRT Erbil has polled editors at the Kurdistan Region's handful of independent media outlets for their reactions to the Kurdistan National Assembly's (KNA) September 22 passage of a new Press Law. Our interlocutors included Lvin Magazine Chief Editor Ahmad Mira, Rozhnama Chief Editor Adnan Osman, Hawlati Chief Editor Abid Arif, Hawlati Publisher Tareq Hasan, and Awene Chief Editor Shwan Mohammed.

The Verdict: "80 Percent Good"...

13. (SBU) Our contacts all agreed that the version passed by the KNA was an improvement over the previous bill, which was vetoed by President Barzani following public criticism. Echoing the views of his colleagues, Lvin's Ahmad Mira characterized the new law as "80 percent good." In particular, the editors noted that the revised version reduced the amount of money that journalists and media outlets can be fined for defamation. (The maximum fine for journalists is now set at 5 million dinar, or approximately \$4100, and the maximum fine for media outlets is 10 million dinar, or approximately \$8200.) It also prohibits the closure of media outlets and provides some clarity on what constitutes "national security information" that cannot be published or broadcast.

...But That Other 20 Percent Still Worrisome  
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14. (SBU) Lvin's Mira said the national security information provision of the new law remained "too vague." For example, he said he would have to think carefully about publishing anything about Ansar al-Islam. "I'm afraid that if we write about Ansar, we're

going to get sued," he explained. Hawlati's Abid Arif and Tareq Hasan -- who has done jail time in retaliation for Hawlati's muckraking -- complained that the new law allows for the temporary suspension of media outlets. Such a suspension "would kill us," they asserted.

#### The Other Shoe

15. (SBU) All of our interlocutors were distressed by the tone of a September 28 meeting that KRG President Barzani held with key Kurdistan Region media leaders. Noting that he had not yet actually signed the new Press Law, Barzani warned that while the press is part of the democratic process, reporters should "concern themselves with subjects they know about;" the press is free to criticize the KRG, but such criticism must be cleared with the proper authorities, he said. Barzani also chastised the media for creating what he called a "culture of losing self-confidence" and delivered a pep-talk about the proper role of the Kurdish-language press in helping defeat "enemy plans" to destroy the Kurdistan Region's achievements.

#### Comment

16. (SBU) From what we've heard, passage of the new Press Law and the positive revisions were due to personal lobbying by KNA Speaker Adnan Mufti, Deputy Speaker Kamal Kirkuki, and KRG Culture Minister Falakadeen Kakayee, who was present for the vote despite serious health issues that have hobbled him for most of the year. The three share a relatively progressive view about the role of the

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independent media in the Kurdistan Region. Rozhnama's Adnan Osman singled out Mufti and Kakayee in particular, writing in an editorial that "no one should forget their role in this success." Deputy Speaker Kirkuki privately emphasized to us that, while not perfect, the new law is an "improvement" designed to "tackle the legal impediments" to the development of a genuinely free press in the Kurdistan Region. This positive movement on an important KRG governance issue comes in the wake of efforts by RRT and Embassy Baghdad, and Ambassador Krajewski in particular, to press senior Kurdish officials to respect press freedoms.

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